

Remarks

Introduction

Claims 114-117, 119-121, and 172-185 were previously pending in this application. With this amendment, claims 114-117, 119-121, and 179-185 have been cancelled without prejudice, and claim 186 has been added. Claim 186 recites that the polyalkylene glycol recited in claim 172 is polyethylene glycol. No new subject matter has been introduced with these amendments.

Applicant reserves the right to pursue the subject matter of the cancelled claims in one or more divisional applications, as may be appropriate.

In view of the above, claims 172-178 and 186 are currently pending, and each of the present claims is within the scope of the originally filed claims.

Applicant respectfully requests entry of this Amendment and reconsideration of the rejections.

Election/Restriction

The Office Action indicates that the previously pending claims were directed to three patentably distinct species.

Applicant does not concede to the correctness of the species restriction requirement, especially since the subject matter of the previously pending claims has already been searched and examined. However, to expedite the allowance of this application and to fully respond to the Office Action, applicant elects species 2 identified by the examiner, that is claims that recite the water soluble polymer component of the cast molded contact lens body and of the sterile packaging liquid medium comprises a polyalkylene glycol.

Applicant submits that claims 172-178 and 186 read on the elected species.

To advance the prosecution of this application, applicant has cancelled claims directed to the other species identified in the Office Action.

In addition, and for the record, the undersigned never received a phone call or voice message indicating that the Examiner called him on October 3, 2007.

Conclusion

In view of the foregoing amendments and remarks, Applicant submits that the present claims, that is claims 172-178 and 186, are in condition for allowance, at least for the reasons set forth in applicant's September 13, 2007 Amendment. Notice of which is respectfully requested. If a telephone interview would be of assistance in advancing prosecution of the subject application, Applicant's undersigned representative invites the Examiner to telephone him at the number provided below.

Although no additional fee should be necessary, the Commissioner is hereby authorized to charge any additional fees deemed necessary, or credit any overpayment, to Deposit Account No. 50-4064. Please show the docket number of this application with any charge or credit to the Deposit Account.

Respectfully submitted,

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